

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Theresa Marie Siwka, et. al.,

Plaintiffs,

Case No. 08-12152

v.

Hon. Nancy G. Edmunds

Smart Recovery Service, LLC., et. al.,

Defendants.

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ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Defendant/Counter-Plaintiff GMAC's motion for summary judgment [#101] is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff/Counter-Defendant Christie file and serve a written answer to Defendant/Counter-Plaintiff GMAC's counterclaim and reliance on jury demand [#42] within 21 days. Defendant/Counter-Plaintiff GMAC may re-file this dispositive motion within 14 days of service of Plaintiff/Counter-Defendant Christie's answer.

SO ORDERED.

s/Nancy G. Edmunds  
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Nancy G. Edmunds  
United States District Judge

Dated: September 17, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 17, 2010, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager